IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Criminal Writ Petition No. 1141 of 2004 (M/B)

Mohammad Tawwar,
S/o Mr. Kallan,
R/o Mohalla Khatari, Ramnagar,
District Nainital. …… Petitioner.

Versus

State of Uttaranchal through Secretary,
Local Bodies,
Dehradun & others. …… Respondents

Mr. Khalil Ahmad, learned counsel for the petitioner.
Mr. K.P. Upadhyaya, learned Brief Holder for the State.

Hon. V.S. Sirpurkar, C.J.
Hon. Rajesh Tandon, J.

1. Heard Mr. Khalil Ahmad, learned counsel appearing on behalf of the petitioner and Mr. K.P. Upadhyaya, learned Brief Holder for the State.

2. Learned counsel for the petitioner says that this writ petition is squarely covered by the judgment of this Court dated 05.05.2004 in writ petition No. 369 (M/B) of 2004 and also by the judgment of the Allahabad High Court in the case of Tejveer Singh Vs State of U.P. reported in 1997(29) ALR 68, in which it has been held that the petitioner was liable to pay fixed stamp duty at the rate of Rs. 100/- only and not the stamp duty calculated on ad valorem basis. Learned counsel for the other side has no objection to this statement.

3. In that view, this writ petition is also disposed of accordingly.

(Rajesh Tandon, J.) **(V.S. Sirpurkar, C.J.)**
18.11.2004 **18.11.2004**

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